

## REMARKS

In an Office Action dated October 12, 2006, Claims 1, 3-5, 7-8, 10, 12, and 18 were rejected under 35 U.S.C. §112. In addition, Claims 1-3, 6-12, 14-15, 18, and 20 were rejected under 35 U.S.C. §102 as being anticipated by Maroszek (U.S. Patent No. 5,052,552) and Claims 1-3, 6-12, 14-18, and 20 were rejected under 35 U.S.C. §103 as being unpatentable over Maroszek. Finally, Claims 4-9, 13-15, and 19-20 were rejected under 35 U.S.C. §103 as being unpatentable under Maroszek in view of Picciolo (U.S. Patent No. 5,797,486). Applicant hereby respectfully traverses the rejections.

### REJECTION OF CLAIMS 1-3, 6-12, 14-15, 18, AND 20 UNDER 35 U.S.C. §102

Claims 1-3, 6-12, 14-15, 18, and 20 stand rejected under 35 U.S.C. §102 as being anticipated by Maroszek (U.S. Patent 5,052,552). Maroszek discloses a carton structure erectable by folding from a substantially flat blank, including two side panels, a bottom panel, two top panels, a center divider panel and two end panels, each extending from the bottom panel. Each end panel has slot means for engaging the center divider panel when the carton is erected. Applicant hereby traverses the rejection.

Maroszek fails to disclose, teach, or fairly suggest a central chamber surrounded by plurality of vessel apertures, each vessel aperture housing or itself constituting at least one aperture designed for specific toting tasks (page 4, lines 11-12; See also Fig. 5). The central chamber of the multi-use carrier is disclosed at least in FIG. 5 by the double arrow 36 and page 17, lines 3-6: "A central chamber 36 depicted by the double arrow is defined by the bottom 18 and a central perimeter formed by the second plurality of interior walls, the middle section of the first side 22, and the middle section of the second side 24. The handle 12 spans across the central chamber 36 and is secured to the first plurality of interior walls." There is no such central chamber disclosed in Maroszek. Instead, Maroszek discloses a central divider panel (Figs. 1-5)


25315

CUSTOMER NUMBER

- 6 -

RAIN-1-1005RFOA

BLACK LOWE & GRAHAM <sup>PLLC</sup>

  
701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301

comprising an upper portion 40 and a lower portion 32 located between bottom panel 26 and top panels 28 and 30 (See also Figs. 3 and 4). The inside surface of first and second upper portions 36 and 40 are bonded together to form a single unit (column 2; lines 53-66). Maroszek leaves no room in its carrier to form a central chamber unit surrounded by a plurality of vessel apertures.

Therefore, Applicant submits that Maroszek fails to teach or suggest a multi-use carrier as disclosed by the Applicant. Thus, Claims 1, 10, and 18 are allowable over the cited reference. Because Claims 2-3, 6-9, 11-12, 14-15, and 20 depend upon allowable independent Claims 1, 10, and 18, they are allowable for the same reasons that make their corresponding independent claims allowable.

#### **REJECTION OF CLAIMS 1-20 UNDER 35 U.S.C. §103**

Claims 1-3, 6-12, 14-18, and 20 stand rejected under 35 U.S.C. §103 as being unpatentable over Maroszek with those differences not met exactly by Maroszek held to be inherent or within the realm of common knowledge in the art. Applicant hereby traverses the rejection.

Applicant submits that there is no motivation or teaching in Maroszek to provide for the central chamber feature of Applicant's disclosure. Further, for purposes of argument only, if Maroszek did disclose the central chamber unit, it would make the inventive aspect of Maroszek unsatisfactory for its intended purpose. Specifically, Maroszek discloses a central divider panel (Figs. 1-5) comprising an upper portion 40 and a lower portion 32 located between bottom panel 26 and top panels 28 and 30 (See also Figs. 3 and 4). The inside surface of first and second upper portions 36 and 40 are bonded together to form a single unit (column 2; lines 53-66). Maroszek leaves no room in its carrier to form a central chamber unit surrounded by a plurality of vessel apertures. Further, Maroszek does not disclose, teach or fairly suggest reason to provide for the central chamber in view of its central divider panel as illustrated by Figs. 1-5.


25315

CUSTOMER NUMBER

- 7 -

RAIN-1-1005RFOA

BLACK LOWE & GRAHAM<sup>PLLC</sup>

  
701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301

Therefore, Applicant submits that independent Claims 1, 10, and 18 are allowable over the cited reference. Because Claims 2-3, 6-9, 11-12, 14-17, and 20 depend upon allowable independent Claims 1, 10, and 18, they are allowable for the same reasons that make their corresponding independent claims allowable.

Claims 4-9, 13-15 and 19-20 were rejected as being unpatentable over Maroszek in view of Picciolo. Picciolo fails to supply the teachings missing from Maroszek. In fact, Picciolo reinforces the argument that the central chamber of Claims 1, 10, and 18 is not obvious, as Picciolo also does not disclose a central chamber. Thus, Applicant submits that independent Claims 1, 10, and 18 are allowable over the cited references. Because Claims 4-9, 13-15, and 19-20 depend upon allowable independent Claims 1, 10, and 18, they are allowable for the same reasons that make their corresponding independent claims allowable.

### CONCLUSION

Applicant respectfully submits that all of the claims are now in condition for allowance over the cited reference. Accordingly, Applicant requests withdrawal of the rejections, allowance and early passage through issuance. If Examiner has any questions regarding this application, the Examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>

*/James A. Born/*

James A. Born  
Registration No. 46,564


25315

CUSTOMER NUMBER

- 8 -

RAIN-1-1005RFOA

BLACK LOWE & GRAHAM<sup>PLLC</sup>

  
701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301